

# Exhibit C

## **ALTERNATIVE PROCEDURE FOR DIGITEK SMALL ESTATE SETTLEMENTS**

1. **Purpose of this Procedure.** This Small Estate Procedure (“SEP”) defines the documentation required with respect to final processing and payment of a Claim relating to a deceased Digitek user Claimant and to establish the process for payment of Claims with outstanding or incomplete releases due to the representative capacity of the person acting on behalf of such a Claim. This procedure applies to all claims where the claimant is deceased and where, for claimants who died testate or intestate, the gross settlement amount does not exceed \$45,000. Any capitalized terms used in this SEP and not expressly defined in this SEP shall have the meanings given to them in the Master Settlement Agreement (“MSA”). References to Sections are to sections of this SEP, unless otherwise stated. The Release is attached to the MSA as “Exhibit G”.
2. **Testate Digitek User Claimants.** If the Digitek User Claimant had a valid will at the time of death:
  - a. If the will has been the subject of probate or other proceedings leading to the appointment of a Personal Representative, Administrator, Executor, or other representative of the Estate of the Digitek User Claimant (the “Appointed Representative”), the Appointed Representative shall submit to the Special Master a complete copy of the Order or other document effectuating such appointment. Upon acceptance of such documentation as sufficient by the Special Master, no other documentation shall be required on the issue of Representative Claimant capacity to sign the Release.
  - b. If the estate of the Digitek User Claimant has no Appointed Representative under Section 2(a) (involving a will of the deceased), then for the Claim to become part of this SEP:
    - i. Primary Counsel or the unrepresented person pursuing the Claim shall submit to Actavis a completed *Representative of Deceased Digitek User Claimant Form (Form I)* (Exhibit D-1) and, pursuant to the Instructions in such Forms, shall submit to the Special Master a copy of the will of the Digitek User Claimant;
    - ii. The person designated in the will as the representative of the estate of the Digitek User Claimant, as determined from the will or as verified in *Form I* (the “Designated Representative”), shall be authorized to execute the Release, subject to application of state probate laws governing the administration of estates; and
    - iii. If the Digitek User Claimant was married at the time of death and was survived by a spouse (the “Surviving Spouse”) and such Surviving Spouse

is not the Designated Representative, the Surviving Spouse, if living, shall also sign the Release.

- c. If a Claim is part of this SEP under Section 2(b) the Special Master will authorize payment on the Claim in the name of the Designated Representative, and the Primary Counsel (if represented) as specified in the MSA. Before Payment is made on the Claim, Primary Counsel on the Claim shall execute a *Primary Counsel Acknowledgment of Obligations Regarding Payment Distribution (Form 2)*, (Exhibit D-2) acknowledging and agreeing to comply with the duty to comply with the applicable state laws regarding the distribution of such funds to the proper beneficiaries and heirs and any other parties with any right to receive any portion of such payment.
3. ***Intestate Digitek User Claimants.*** If the Digitek User Claimant did not have a valid will at the time of death:
  - a. If the estate of the Digitek User Claimant has been the subject of any intestate succession proceedings that have led to the issuance by a tribunal or official with jurisdiction of letters of administration, an order, or other document appointing a person to act as the Appointed Representative of the estate, the Appointed Representative shall submit to the Special Master a complete copy of the order or other document effectuating such appointment. Upon acceptance of such documentation as sufficient by the Special Master the Appointed Representative shall be authorized to pursue the Claim and no other documentation shall be required on the issue of Representative Claimant capacity to sign the Release.
  - b. If the estate of the Digitek User Claimant has no Appointed Representative under Section 3(a), then for the Claim to become part of this SEP:
    - i. Primary Counsel or an unrepresented person pursuing the Claim shall submit to the Special Master a completed *Form I*;
    - ii. If the Digitek User Claimant was survived by a Surviving Spouse, the Surviving Spouse shall execute the Release; and
    - iii. If the Digitek User Claimant was not survived by a Surviving Spouse or the Surviving Spouse is deceased, the person(s) identified in the *Form I* as the successor in interest to the estate of the Digitek User Claimant under applicable law shall execute the Release.
  - c. If a Claim is part of this SEP under Section 3(b) the Special Master will authorize payment on the Claim in the name of the Designated Representative, and the Primary Counsel (if represented) as specified in the MSA. Before Payment is

made on the Claim, Primary Counsel on the Claim shall execute a *Primary Counsel Acknowledgment of Obligations Regarding Payment Distribution (Form 2)*, (Exhibit D-2) acknowledging and agreeing to comply with the duty to comply with the applicable state laws regarding the distribution of such funds to the proper beneficiaries and heirs and any other parties with any right to receive any portion of such payment.